

**Ambassador Anthony Luzzatto Gardner**  
United States Mission to the European Union  
Zinnerstraat - 13 - Rue Zinner  
1000 Brussels, Belgium

**AMNESTY  
INTERNATIONAL**



**European Institutions Office**

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Dear Ambassador Gardner,

**UNITED STATES MUST KEEP ACCOUNTABILITY AT TOP OF US-EU AGENDA AFTER SENATE REPORT RELEASE**

Amnesty International is writing to follow up on the United States of America (USA) government's response to the US Senate Select Committee on Intelligence (SSCI)'s summary report on the Central Intelligence Agency (CIA)-operated secret detention program, released in December 2014. We call on the US government to meet its obligations under international law to ensure thorough investigations into, and an end to impunity for, the torture and other human rights violations committed by US personnel in the name of national security. Amnesty International also urges you to ensure that accountability remains high on the agenda of all exchanges between the USA and the European Union (EU); the upcoming EU-US Human Rights consultations would provide an opportunity for this exchange.

**Accountability for Torture by the US CIA**

The SSCI report provides details of how the CIA resorted to torture or other cruel, inhuman or degrading treatment against detainees who were also being subjected to enforced disappearance. These acts were carried out during the rendition and secret detention programmes that followed the crime against humanity committed in the USA on 11 September 2001.

Interrogation methods used by the CIA included "water-boarding", mock execution, prolonged sleep deprivation and stress positions. Some of these actions constitute torture under international law in and of themselves, while others amount to torture when combined or applied for a prolonged period, or are considered cruel, inhuman or degrading treatment. All are prohibited absolutely, without exception and in all circumstances. Enforced disappearance, like torture, constitutes a crime under international law.

In November 2014, the United Nations (UN) Committee against Torture (CAT) issued its latest findings on the USA and urged the government to investigate and duly prosecute these acts and to provide effective remedies and redress for victims. In April 2014, the UN Human Rights Council (HRC), having scrutinised the USA's compliance with its obligations under the International Covenant on Civil and Political Rights, expressed similar concerns.

Amnesty International calls on the US government to reopen investigations into the CIA program and prosecute individuals where there is sufficient evidence, now that the report summary has been released. We likewise urge the US government to ensure that the release of the summary SSCI report is swiftly followed by declassification of the full report, with priority given to rapid disclosure of Volume III which contains the SSCI's full findings on the treatment of the 119 detainees it found had been in CIA custody. All steps necessary to ensuring full truth, remedy and accountability for the human rights violations that were committed in these secret detention, interrogation and rendition programmes must be taken.

## Accountability for EU member state involvement in CIA operations

Amnesty International likewise urges you to ensure that accountability remains high on the agenda of all exchanges between the USA and the EU. The CIA and US officials who authorised these operations did not act alone. As documented by the European Parliament (EP), a number of European countries facilitated the rendition, secret detention, torture, and enforced disappearance of those the USA suspected of involvement in terrorism. Behind the heavily redacted summary of the Senate report, investigative journalists and nongovernmental organisations have already identified the CIA secret detention sites in Romania, Lithuania and Poland. As stressed by the EP inquiries and resolutions in 2007, 2009, 2012, and 2013, it is time for European countries to properly investigate their role in the CIA programmes in order to expose the full truth of their involvement and to provide justice for all victims who were subjected to these human rights violations, including the international crimes of torture and enforced disappearance. Ultimately, the EU bears collective responsibility to ensure that Europe never becomes an ‘accountability free’ zone for crimes spearheaded by the USA or any other international partner.

US President Barack Obama conceded that ...“we [the CIA] tortured some folks”... and that the actions taken at that time ... “were contrary to [US] values”. Admission of the truth is the first step towards accountability. To date, no EU government head of state has even gone that far, EU member states and all institutions with the exception of the Parliament have stonewalled on their part in this programme. Amnesty International will continue to call for full accountability on both sides.

We urge you to show leadership in ensuring continued US and EU engagement to abide by legal obligations and to diligently and fully investigate all allegations of complicity in human rights violations and crimes under international law committed in the context of the US operations.

We look forward to your concrete response on how the US will fulfill the recommendations of the CAT and the HRC, and meet its obligations under international treaty law and other international law and standards. We likewise welcome your commitment to ensure the US and the EU act together toward accountability for torture and other human rights violations in the context of the CIA secret detention programmes, and stand ready to provide any further information you may require.

Yours sincerely,



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